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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/328,529 06/09/99 KORMAN B 34596/CAG/C6

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PM82/1227

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EXAMINER

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ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 12/27/99

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/328,529

Applicant(s)

B. Korman et al

Examiner

F. J. BAKTUSKA

Group Art Unit

3652

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on JUNE 9, 1999.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-22 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1, 2, 4-8, 10 AND 12-22 is/are rejected.
- ☒ Claim(s) 3, 9 AND 11 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 4
- ☒ Notice of Reference(s) Cited, PTO-892
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15 and 16 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Molbak et al '546. Molbak et al '546 show a coin machine which counts coins and allows the user to select between receiving a cash voucher or donating the coin value to a charity, see col. 6, lines 5-54.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1 and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al '546 in view of Inoue. Molbak et al '546 show a coin hopper 280, a coin discriminator (step 435), a controller for calculating the monetary value of the coins (step 440) and all the other features of the applicants' claimed invention except the means for transporting the coins to the hopper at a controlled rate. Inoue shows a coin hopper 35 with a transport device 23 which feeds coins to the hopper in a controlled manner, see col. 4, lines 21-38. It would have been obvious to one of ordinary skill in the art to provide the device of Molbak et al '546 with the transport system of Inoue to feed coins to the hopper in a controlled manner.

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5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al '546 in view of Inoue as applied to claim 1 above, and further in view of Japanese publication 3-63795. Molbak et al '546, as modified by Inoue, shows all the features of the applicants' claimed invention except a means to dispense debris from the hopper. It would have been obvious to one of ordinary skill in the art to provide the hopper of Molbak et al '546 with the debris dispensing means of Japanese publication 3-63795 to prevent jamming and damage due to foreign matter.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al '546 in view of Japanese publication 3-63795. Molbak et al '546 shows all the features of the applicants' claimed invention except a means to dispense debris from the hopper. It would have been obvious to one of ordinary skill in the art to provide the hopper of Molbak et al '546 with the debris dispensing means of Japanese publication 3-63795 to prevent jamming and damage due to foreign matter.

7. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al '546 in view of Japanese publication 3-63795 as applied to claim 10 above, and further in view of Molbak et al '299. Molbak et al '546, as modified by Japanese publication 3-63795, shows all the features of the applicants' claimed invention except the coin rail and the solenoid for removing counterfeit coins

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from the rail. It would have been obvious to one of ordinary skill in the art in view of the coin rail 506a and 506b and solenoid 516' of Molbak et al '299 to provide the device of Molbak et al '546 with a coin rail and solenoid to remove counterfeit coins.

8. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al '546 in view of British publication 2188467. Molbak et al '546 shows all the features of the applicants' claimed invention except the means to accept credit cards and bank notes. It would have been obvious to one of ordinary skill in the art in view of the card reader 9 and the note acceptor of British publication 2188467 to provide the device of Molbak et al '546 with means to accept cards and bank notes.

9. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al '546 in view of Helbing. Molbak et al '546 shows all the features of the applicants' claimed invention except the means to transmit data from remote terminals to a host terminal. It would have been obvious to one of ordinary skill in the art in view of the data transmission means shown in Helbing to provide the device of Molbak et al '546 with means to transmit data between remote terminals and a host terminal.


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Allowable Subject Matter

10. Claims 3, 9 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. Any inquiry concerning this communication should be directed to F. J. Bartuska at telephone number (703) 308-1111.


F. J. BARTUSKA
PRIMARY EXAMINER 12/21/99